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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,708	06/11/2001	Erwann Chenede	P5287 US	3981

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4120 NETWORK CIRCLE
MS USCA12-203
SANTA CLARA, CA 95054

EXAMINER

GOLINKOFF, JORDAN

ART UNIT	PAPER NUMBER
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2174

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DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/878,708

Applicant(s)

CHENEDE, ERWANN

Examiner

Jordan S Golinkoff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to because Figures 7 and 8, element 90 says "AP1" and should be changed to "API" (see ¶ 0055). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. Figures 5 and 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated (see specification ¶ 0055). See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8, 15-22, and 29-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Baradel et al. ("Baradel," US005764230A).

As per claim 1, Baradel teaches a method of communicating graphical display data between a window manager and at least one application in a network-based windowing system, wherein the window manager is responsible for controlling window layout within at least one workspace in accordance with predefined rules (column 2-3, lines 64-4, *client applications can*

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access window manager), the method comprising: communicating data between the window manager and the at least one application through an interface in response to an information request to the window manager from the at least one application (column 5, lines 37-56, *application requests to be an integrator client and receive window information*, and column 6, lines 17-19), wherein the communication involves: storing the data in at least one repository included in the interface (column 6, lines 33-41, *data is stored in the server, i.e. – the interface*), and retrieving the data from the at least one repository (column 6, lines 33-41, *client application accesses stored data*).

Claims 15 and 29 are similar in scope to claim 1, and are therefore rejected under similar rationale.

As per claim 2, which is dependent on claim 1, Baradel teaches that the data communicated between the window manager and the at least one application includes workspace content information (column 6, lines 17-19, *window manager communicates data to server and server sends data to client applications*).

As per claim 3, which is dependent on claim 1, Baradel teaches that the data communicated between the window manager and the at least one application includes information internal to the window manager if the information request from the at least one application comprises a request for information internal to the window manager (column 2-3, lines 64-4, *i.e. – windowing data managed by the window manager*).

As per claim 4, which is dependent on claim 3, Baradel teaches that the at least one repository further comprises a command repository associated with the window manager, wherein the command repository includes command information from command messages from

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the at least one application (column 5, lines 51-56, *command information, i.e. – window manager holds identifier of clients requesting information in storage*).

As per claim 5, which is dependent on claim 4, Baradel teaches storing data corresponding to the information request in a request repository included in the interface and associated with the window manager, wherein the information request comprises a request for information internal to the window manager (column 5, lines 36-47, *client application stores request in interface's window data structure*).

As per claim 6, which is dependent on claim 4, it is inherent that the information request identifies the location of a data request repository included in the interface and associated with an application, wherein the data request repository holds an identification of the internal data requested. Any data structure must have a means to locate requested information such as a pointer or a key that enables the computer to find stored information.

As per claim 7, which is dependent on claim 3, Baradel teaches storing, in response to an information request, requested items supplied by the window manager in a response repository included in the interface and associated with an application (column 6, lines 33-41, *the window manager creates a repository in the window data structure in the interface with information applications can access*).

As per claim 8, which is dependent on claim 7, it is inherent that the information request identifies the location of the response repository. A computer system that responds to a request for information must have a means to locate the appropriate storage location.

As per claim 16, which is dependent on claim 15, Baradel teaches a workspace information repository associated with the window manager, the workspace information repository being operable to hold workspace content information to be communicated from the window manager to at least one application (column 6, lines 17-19, *window manager communicates data to server and server sends data to client applications*); and a query control module responsive to a request from an application for information regarding the content of a workspace to query the workspace information repository for workspace content information to be returned to the application (columns 2-3, lines 64-4).

As per claim 17, which is dependent on claim 15, Baradel teaches a command request control module responsive to a request from an application for information internal to the window manager to cause the window manager to return the internal information to the application (column 6, lines 11-19, *the command request control module, i.e. server*).

As per claim 18, which is dependent on claim 17, Baradel teaches that the command request control module is responsive to a command message from an application to place information representative of a command in a command repository associated with the window manager (column 5, lines 37-55, *place identification in window manager storage*).

As per claim 19, which is dependent on claim 17, Baradel teaches that the command request control module is responsive to a request message requesting data internal to the window manager to place information representative of the request in a request repository associated with the window manager (column 5, lines 36-47, *client application stores request in interface's window data structure*).

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As per claim 20, which is dependent on claim 17, it is inherent that a data request repository associated with an application, the data request repository being operable to hold an identification of the internal data requested, and a request message identifies the location of the data request repository. A computer system that responds to a request for information must have a means to locate the appropriate storage location.

As per claim 21, which is dependent on claim 17, Baradel teaches a response repository associated with an application, the response repository being operable to receive requested items supplied by the window manager in response to a request message (column 6, lines 33-41, *the window manager creates a repository in the window data structure in the interface with information applications can access*).

As per claim 22, which is dependent on claim 21, it is inherent that the request message identifies the location of the response repository. A computer system that responds to a request for information must have a means to locate the appropriate storage location.

As per independent claim 30, Baradel teaches a graphical subsystem program element comprising a carrier medium carrying program code configured to form a graphical subsystem for displaying a window for at least one application, the graphical subsystem comprising: a window manager operable to control window layout within at least one workspace in accordance with predefined rules (column 2-3, lines 64-4); and an interface operable to permit direct access between an application and the window manager, the interface being operable to provide at least one control module for controlling communication between the application and the window manager and at least one repository of data to be communicated between application and the

window manager (columns 2-3, lines 64-4).

Claim 32 is similar in scope to claim 30, and is therefore rejected under similar rationale.

As per claim 31, which is dependent on claim 30, Baradel teaches that the carrier medium is one of a storage medium and a transmission medium (column 4, lines 6-16).

Claim 33 is similar in scope to claim 31, and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9-11 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baradel et al. ("Baradel," US005764230A) in further view of Berry et al. ("Berry," US005522025A).

As per claim 9, which is dependent on claim 2, the teachings of Baradel in regards to claim 2 have been discussed above. Baradel does not disclose storing a notification of an event in an event notification repository included in the interface and associated with an application.

Berry teaches storing a notification of an event in an event notification repository included in the interface and associated with an application (column 3, lines 56-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Baradel with a means to store a notification of an event, as taught by

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Berry, with the motivation to detect and diagnose performance problems by examining event latencies (column 2, lines 17-20)

As per claim 10, which is dependent on claim 9, Berry teaches storing an identification of events requested by an application in an event request repository included in the interface and associated with the application (column 3, 56-61).

Claim 24 is similar in scope to claim 10, and is therefore rejected under similar rationale.

As per claim 11, which is dependent on claim 10, polling the event request repository to identify event notifications requested by an application (column 6, lines 48-54, *system checks window properties, i.e. event repository, to determine events requested by the applications*).

Claim 25 is similar in scope to claim 11, and is therefore rejected under similar rationale.

As per claim 23, which is dependent on claim 15, Baradel teaches an event notification repository associated with an application, the event notification repository being operable to receive a notification of an event from the window manager (column 6, lines 48-54, *system checks window properties, i.e. event repository, to determine events requested by the applications*); and an event control module for passing event notification requests between an application and the window manager (column 6, lines 48-54).

7. Claims 12-14 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baradel et al. ("Baradel," US005764230A) in further view of Rosenstein (US005522025A).

As per claim 12, which is dependent on claim 1, the teachings of Baradel in regards to claim 1 have been discussed above. Baradel does not disclose that the at least one repository comprises a dummy window.

Rosenstein teaches that the at least one repository comprises a dummy window (column 5, lines 1-7, *i.e. – a window object*, and column 10, lines 20-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Baradel with a means to use a dummy window as a repository with the motivation to allow applications a simple way to interact with the window manager (column 4, lines 45-55).

Claim 26 is similar in scope to claim 12, and is therefore rejected under similar rationale.

As per claim 13, which is dependent on claim 1, Rosenstein teaches that the at least one repository comprises one or more properties associated with a dummy window (column 11, lines 7-11, *window objects store properties about visible area of associated application windows*).

Claim 28 is similar in scope to claim 13, and is therefore rejected under similar rationale.

As per claim 14, which is dependent on claim 1, Rosenstein teaches that the at least one repository (the window object) is used by both the window manager and the applications (column 10, lines 10-19). He also teaches that each application has a dummy window associated with it (column 10, lines 10-19). He does not explicitly disclose a dummy window associated with the window manager. However, he does state that the window manager is another type of object (column 10, line 17). Therefore, the window manager window object is the dummy window associated with the window manager used as a repository for window data.

Claim 29 is similar in scope to claim 14, and is therefore rejected under similar rationale.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan S Golinkoff whose telephone number is 703-305-8771.

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The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jordan Golinkoff
Patent Examiner
March 30, 2004

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